

**UNITED STATES DISTRICT COURT**  
NORTHERN DISTRICT OF TEXAS  
Fort Worth Division

UNITED STATES OF AMERICA

**JUDGMENT IN A CRIMINAL CASE**

v.

Case Number: 4:23-CR-061-Y(2)

Shawn Smith, assistant U.S. attorney

MARK ANTHONY KIRKLAND

Vincent E. Wisely, attorney for the defendant

On June 14, 2023, the defendant, Mark Anthony Kirkland, entered a plea of guilty to count one of the one-count superseding information. Accordingly, the defendant is adjudged guilty of such count, which involves the following offense:

<u>TITLE &amp; SECTION</u>	<u>NATURE OF OFFENSE</u>	<u>OFFENSE CONCLUDED</u>	<u>COUNT</u>
21 U.S.C. § 846 (21 U.S.C. §§ 841(a)(1) and (b)(1)(C))	Conspiracy to Possess with Intent to Distribute a Controlled Substance	March 31, 2022	1-superseding information


The defendant is sentenced as provided in pages two through three of this judgment. The sentence is imposed under Title 18, United States Code § 3553(a), taking the guidelines issued by the United States Sentencing Commission under Title 28, United States Code § 994(a)(1), as advisory only.

The defendant shall pay immediately a special assessment of \$100.00 for count one of the one-count superseding information.

Upon motion of the government, count one of the one-count indictment is dismissed as to this defendant only.

The defendant shall notify the United States attorney for this district within thirty days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Sentence imposed October 10, 2023.

  
TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE

Signed October 11, 2023.

Judgment in a Criminal Case

Defendant: Mark Anthony Kirkland

Case Number: 4:23-CR-061-Y(1)

Judgment -- Page 2 of 3

## **IMPRISONMENT**

The defendant, Mark Anthony Kirkland, is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a term of 156 months on count one of the one-count superseding information. This sentence shall run consecutively to any future sentence that may be imposed in the defendant's pending parole revocation hearings in case nos. 1420416D, 1454195W, and 1454760W in Criminal District Court No. 1, Tarrant County, Texas. Additionally, this sentence shall run consecutively to any future sentence that may be imposed in case no. 1714144D in Criminal District Court No. 3, Tarrant County, Texas.

The Court recommends that the defendant be incarcerated at FCI-Oakdale, Oakdale, Louisiana, if possible.

The defendant is remanded to the custody of the United States marshal.

## **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of 3 years on count one of the one-count superseding information.

The defendant, while on supervised release, shall comply with the standard conditions recommended by the U. S. Sentencing Commission at §5D1.3(c) of the United States Sentencing Commission Guidelines Manual, and shall:

not commit another federal, state, or local crime;

not possess illegal controlled substances;

not possess a firearm, destructive device, or other dangerous weapon;

cooperate in the collection of DNA as directed by the probation officer, as authorized by the Justice for All Act of 2004;

report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Federal Bureau of Prisons;

refrain from any unlawful use of a controlled substance. The defendant must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court;

participate in outpatient mental-health treatment services as directed by the probation officer until successfully discharged, which services may include prescribed medications by a licensed physician, with the defendant contributing to the costs of services rendered (copayment) at a rate of at least \$25 per month; and

participate in an outpatient program approved by the probation officer for treatment of narcotic or drug or alcohol dependency that will include testing for the detection of substance use, abstaining from the use of alcohol and all other intoxicants during and after completion of treatment, contributing to the costs of services rendered (copayment) at the rate of at least \$25 per month.

## **FINE/RESTITUTION**

The Court does not order a fine or costs of incarceration because the defendant does not have the financial resources or future earning capacity to pay a fine or costs of incarceration.

Restitution is not ordered because there is no victim other than society at large.

**RETURN**

I have executed this judgment as follows:

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Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
United States marshal

BY \_\_\_\_\_  
deputy marshal